

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:17-cv-00854-TDS-LPA

REBECCA KOVALICH and SUZANNE)
NAGELSKI,)

Plaintiffs,)

v.)

PREFERRED PAIN MANAGEMENT &)
SPINE CARE, P.A., DR. DAVID SPIVEY,)
individually, and SHERRY SPIVEY,)
individually.)

Defendants.)

Exhibit 34

From: David L Spivey, MD [dspiveymd@yahoo.com]
Sent: Friday, January 8, 2016 1:12 PM
To: Wendy Yontz
Subject: Fwd: EPLI Policy Renewal
Attachments: Invoice.pdf; Preferred Pain Management - EPLI.pdf

I will be sending Sue an email later today terminating her position at end of January.

Make sure we have all contact info and all documents re: the [REDACTED] case.

When I return on the 18th you and I will meet with our BB&T Insurance representative to go over all our insurance as it relates to employer/employee matters, etc

Remind me when I get back.

Have a good weekend.

Sent from my Verizon Wireless 4G LTE DROID

----- Original Message -----

Subject: EPLI Policy Renewal
From: sue nagelski <sdnagelski@yahoo.com>
To: David Spivey <dspiveymd@yahoo.com>
CC:

Attached is the 2016 renewal quote and invoice for the EPLI renewal policy with Scottsdale through BB&T-Blue Ridge Burke Insurance, our current carrier. This policy is set to renew by month's end with premium payment.

Please note that the approximate \$1500 increase in premium is due to the open claim for age discrimination. I f/u will Kevin Murphy, Esq who assisted us on the [REDACTED] Case as this case should have been closed out by the EEOC October 2015.

According to Kevin, he does not know why the EEOC has not closed out the case. The EEOC sometimes sits on charges for quite some time due to their staffing issues before ever even beginning their investigation. Kevin has experienced some EEOC charges in which the EEOC sat on for over a year before suddenly requesting interviews and further information.

Kevin reassured us that "no news is good news." He did mention that It is still possible the EEOC could take a keen interest in matters due to the things Brandi said about [REDACTED] in spite of the neutral reference practice, but their delay has also helped the company's cause since [REDACTED] can no longer bring a true defamation claim now that over a year has passed since Brandi's phone conversation came in question.

I will be contacting BB&T-Blue Ridge Burke Insurance Company today in order to discuss this situation and see if there is any way we can get a premium rate adjustment given the above circumstances.

Sue Nagelski

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